

204905US-2SRD



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
Koichi MASUKURA et al : GROUP ART UNIT: 2672
SERIAL NO.: 09/808,988 :
FILED: March 16, 2001 : EXAMINER: HARRISON, CHANTE
FOR: OBJECT REGION DATA
GENERATING METHOD,...

PROVISIONAL ELECTION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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SIR:

In response to the Restriction Requirement dated March 12, 2003, Applicants provisionally elect with traverse Group I, Claims 1-14, 16-20 and 22-26, "drawn to generating object region data relating to object regions in frames of moving picture," for further examination on the merits. Applicants reserve the right to file one or more divisional applications directed to the non-elected inventions.

The Restriction Requirement asserts that the application contains claims to distinct inventions. However, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Although the outstanding Official Action identifies only two search classifications, it is believed that the claims of the present invention would have to be searched in only a small handful of sub-classes, and would in any event appear to be part of an overlapping search

area. Furthermore, since electronic searching is commonly performed, a search may be made of a large number of, or theoretically all, subclasses without substantial additional effort. Accordingly, Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain two separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-27 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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Docket No.: 204905US2SRD



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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/808,988

Applicants: Koichi MASUKURA, et al.

Filing Date: March 16, 2001

For: OBJECT REGION DATA GENERATING METHOD,
OBJECT REGION DATA GENERATING
APPARATUS, APPROXIMATION POLYGON
GENERATING METHOD, AND APPROXIMATION
POLYGON GENERATING APPARATUS

Group Art Unit: 2672

Examiner: Chante E. Harrison

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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